

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In The Matter Of:)	
	)	Case Number 23-44030-659
Carla A. Lartedale)	
)	
Debtor,	)	Chapter 13
)	
Wilmington Savings Fund Society, FSB,)	
D/B/A Christiana Trust, Not Individually	)	<u>NOTICE OF BREACH</u>
but as Trustee for Pretium Mortgage)	
Acquisition Trust, or its successors and)	
assigns	)	Millsap & Singer, LLC
	)	612 Spirit Drive
Movant,	)	St. Louis, MO 63005
	)	(636) 537-0110
)	
	)	Hearing Date: March 10, 2025
	)	Hearing Time: 10:00 AM
	)	Objection Deadline: February 5, 2025
)	
)	

NOTICE OF HEARING AND NOTICE OF BREACH

WARNING: THIS NOTICE SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE NOTICE, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY FEBRUARY 5, 2025. YOUR RESPONSE MUST STATE WHY THE NOTICE SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU.

IF YOU OPPOSE THE NOTICE AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE NOTICE AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS. THE HEARING TO BE HELD ON THE DATE AND TIME ABOVE BEFORE THE HONORABLE KATHY A. SURRATT-STATES, IN THE UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF MISSOURI, THOMAS F. EAGLETON U.S. COURTHOUSE, 111 SOUTH TENTH STREET, FLOOR 7, NORTH COURTROOM, ST. LOUIS, MO 63102.

COMES NOW, Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, Not Individually but as Trustee for Pretium Mortgage Acquisition Trust and for its Notice of Default and Intention to Proceed with Foreclosure states as follows:

1. In resolution of Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, Not Individually but as Trustee for Pretium Mortgage Acquisition Trust's Motion for Relief from the Automatic Stay in regard to realty owned by the Debtor, an Order was entered on or about February 27, 2024.

2. Pursuant to the Order, Debtor agreed to make monthly post-petition payments as they became due under the terms of the Note and Deed of Trust beginning March 1, 2024.

3. It was further stipulated that in the event the Debtor failed to perform in making these payments, Movant was required to provide notice under the terms of the Order. Thereafter Movant would be entitled to an Order from the Court granting relief from the automatic stay allowing Movant to exercise all of its rights and remedies under the Promissory Note, Deed of Trust, or as may otherwise be provided for by state and non-bankruptcy law.

4. The Order filed in resolution of Movant's motion has been breached by the Debtor. As of January 16, 2025, a delinquency in the amount of **\$1,013.10** exists under the terms of the Order. A breakdown of the delinquency is as follows:

2 payments @ \$603.05 (12/1/2024-1/1/2025)	\$1,206.10
Attorney Fees	\$100.00
Suspense	(\$293.00)
Total post petition delinquency	\$1,013.10

The address to which payments can to be made for Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, Not Individually but as Trustee for Pretium Mortgage Acquisition Trust is: 3501 Olympus Boulevard, 5th Floor, Suite 500, Dallas, TX 75019.

Wherefore, pursuant to the Order, Movant hereby gives notice that in the event a valid defense is not set forth or funds tendered sufficient to cure the delinquency

identified above along with all amounts that have come due under the terms of the Note and Deed of Trust and/or Order of the Court within fourteen (14) days of the date given below, Movant, or its successors and assigns will herewith be proceeding with foreclosure in order to pursue its rights and remedies under state and non-bankruptcy law in connection with the subject Promissory Note and/or Deed of Trust. Movant will request this Court issue an Order granting relief from the stay to Movant for such purposes.

Dated January 22, 2025

Respectfully Submitted:
Millsap & Singer, LLC

/s/ Pamela B. Leonard

Cynthia M. Kern Woolverton, #47698, #47698MO

Eva Marie Kozeny, #40448, #40448MO

Adam G. Breeze, #60920, #60920MO

William R. Avery, #68985, #68985MO

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Attorneys for Wilmington Savings Fund Society,
FSB, D/B/A Christiana Trust, Not Individually but
as Trustee for Pretium Mortgage Acquisition Trust

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on January 22, 2025, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court pursuant to CM/ECF as set out on the Notice of Electronic filing as issued by the Court or in the alternative has been served by depositing a true and correct copy of same enclosed in a postage prepaid, properly addressed envelope, in a post office official depository under the exclusive care and custody of the United States Postal Service on those parties directed by the Court on the Notice of Electronic Filing issued by the Court as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court.

/s/ Pamela B. Leonard

Electronic Mail Notice List

The following is the list of attorneys who are currently on the list to receive e-mail notices for this case.

Timothy Patrick Powderly

Diana S. Daugherty

Office of the United States Trustee

Manual Notice List

The following is a list of parties who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

Carla A. Lartedale
7756 Mallard Dr.
Saint Louis, MO 63133